

# Maryland Health Benefit Exchange Kick-Off Meeting of Navigator Advisory Committee

## *Study of Navigator Program and Consumer Assistance*

September 7, 2011

Manatt Health Solutions

Project and Meeting Goals

Introduction of Manatt Health Solutions and Project Team

Overall Project Approach

Key Activities, Timelines, Deliverables

Discussion: Important Navigator Policy Questions

Decisions: Navigator Goals and Key Informants

Priorities and Next Steps

***Project Purpose:*** *Develop recommendations for the design and operation of Maryland's Navigator Program pursuant to the Maryland Health Benefit Exchange Act of 2011.*



### Goals for Today's Meeting

- Introduce Key Project Staff
- Share Project Work Plan with Advisory Committee
- Confirm Policy Goals and Navigator Operations
- Develop and Confirm Navigator Program Goals
- Get Consensus on Key Informants



- Manatt, Phelps & Phillips, LLP
  - Recognized leader in health law (the firm's largest legal practice area) including:
    - Health Insurer Operations, Premium-setting, Underwriting and Marketing
  - Managed Care Law and Consumer Rights
  - Insurer-Provider Contracting and Rates
  - Transactions, Mergers & Acquisitions
  - Governance
  - Government Affairs & Regulatory Process
  - Fraud & Abuse
  - Compliance
  - Financing
  - Litigation
- Manatt Health Solutions
  - Policy and business advisory division, focused on:
    - Federal Health Reform
    - Health Coverage & Access
    - Federal & State Policy
    - Advocacy
    - Health Information Technology Strategy
    - Strategic Planning & Analysis
    - Healthcare Financing & Reimbursement
    - Strategic Partnerships
    - International Health Policy

# The Manatt Project Team

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## MELINDA DUTTON

- Extensive experience in public health insurance programs and the healthcare safety net.
- Assists health centers, hospitals, home care agencies and other providers with issues related to business strategy, reimbursement, licensure and regulatory compliance.
- Provides policy analysis and research support to foundations, think tanks and advocacy organizations.
- Engages in a wide variety of national and state-based projects involving use of health information technology to improve the quality and efficiency of health care.
- Advises states, providers, foundations and other stakeholders on implementation of health care reform.



## SHARON WODA

- Advises public-sector clients on how to implement new healthcare programs and working with payers to understand opportunities as a result of changing legislation.
- Extensive project management experience, having managed numerous engagements on behalf of states, payers, providers and the federal government, including CMS, AHRQ, NIH and ONC.
- Experience with engaging, coordinating, and facilitating stakeholder work groups and summarizing stakeholder findings.
- Currently working on health reform implementation and analysis.

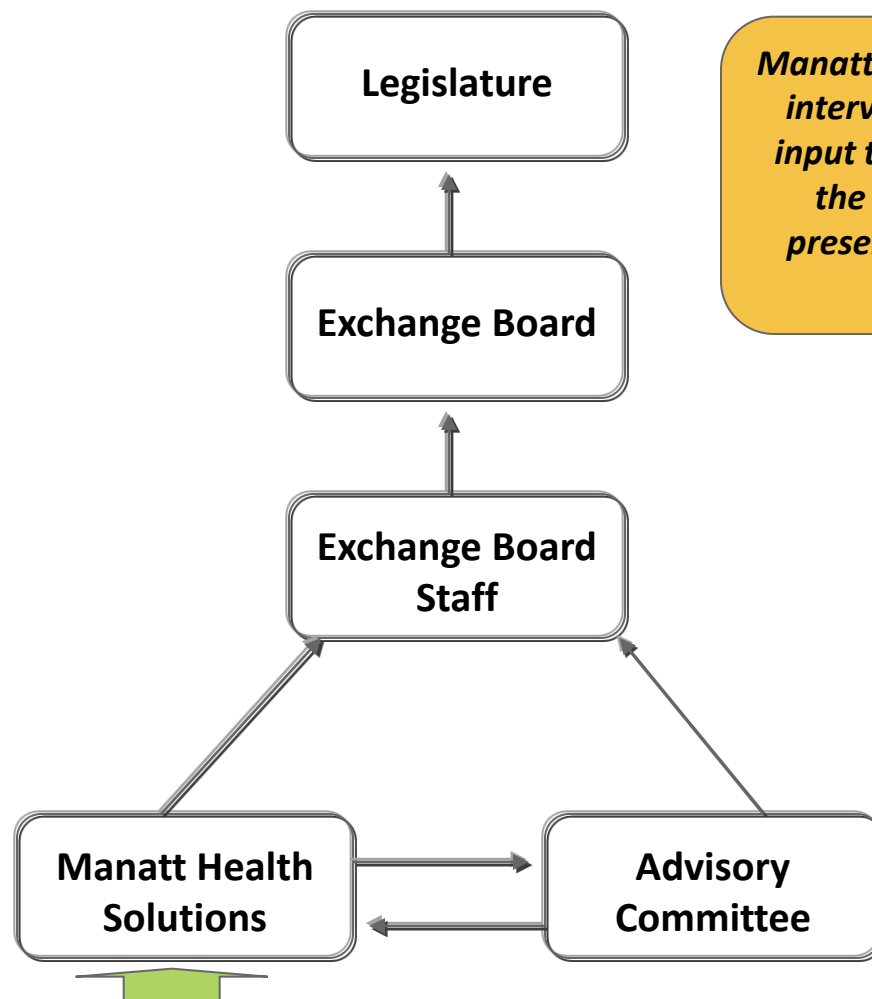


## MOLLY SMITH

- Provides strategic business and regulatory advice, policy analysis and project oversight to public and private-sector clients on federal-state collaborative health initiatives, health information technology, Medicaid and Medicare.
- Experience convening state-level officials and stakeholders for planning and implementation of health programs.
- Experience as staff at CMS on Medicare, Medicaid and health information technology issues.

# Manatt Role in Overall Decision-Making Process

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*Manatt will leverage existing resources, interviews, and Advisory Committee input to develop recommendations to the Exchange which will, in turn, present formal recommendations to MD's legislature.*

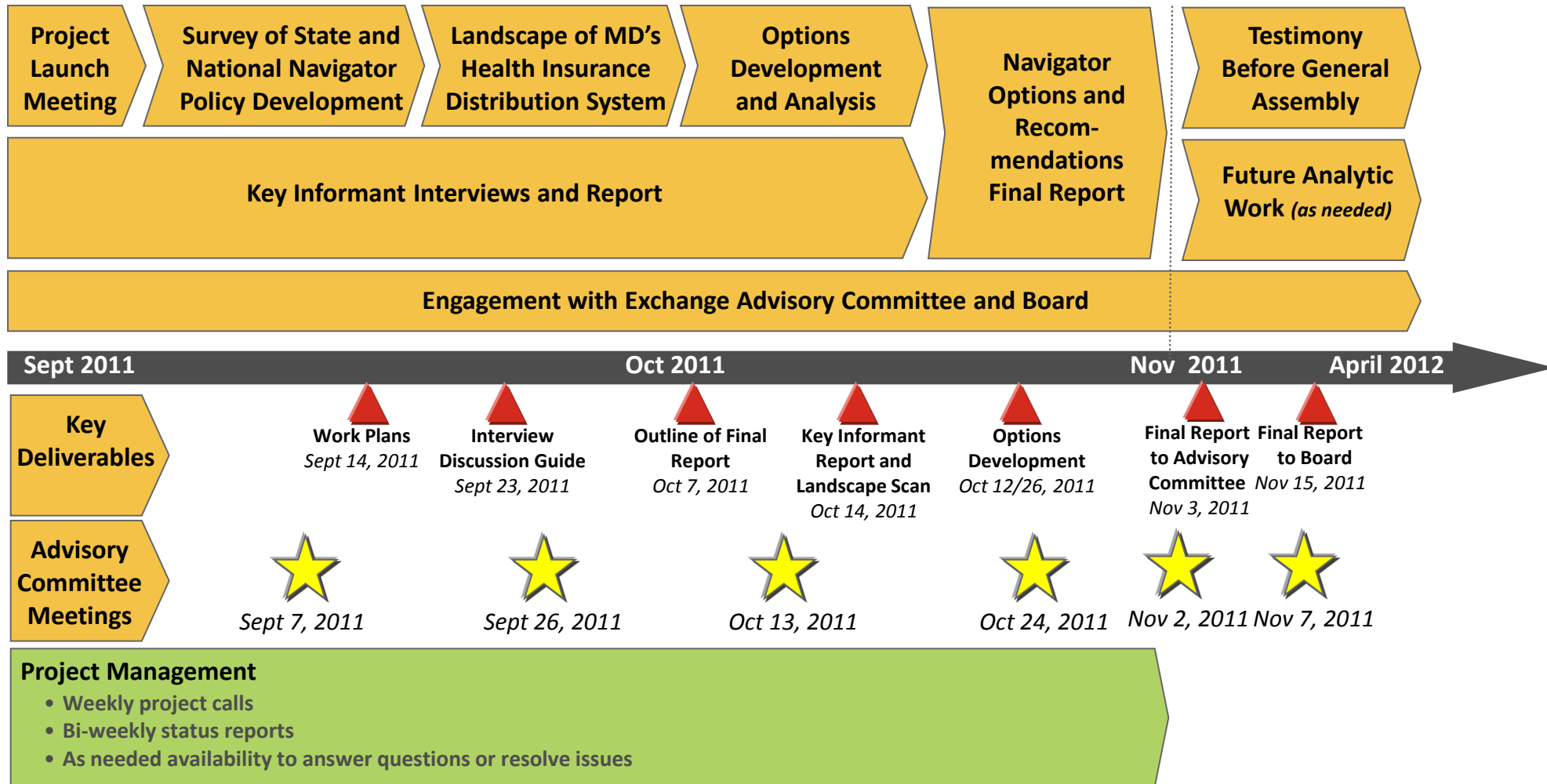
## Research Base

- Existing Reports and Studies (e.g. Hilltop, NAIC White Papers, etc)
- Other States Experience
- Key Informant Interviews
- Federal and MD Legislation

Source: Modified from the Maryland Health Benefit Exchange Request for Proposals

# Overall Project Approach

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# Key Project Deliverables

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Deliverable	Date(s)
<b>Advisory Committee Meeting: Introduce Team, Review of Work Plan, Obtain Input on Interview Candidates</b> <ul style="list-style-type: none"> <li>• Meeting agenda and supporting materials</li> <li>• Meeting notes</li> </ul>	Sept 7, 2011
Project Work Plan, including Key Informant Interview Plan	Sept 14, 2011
Interview Discussion Guide	Sept 23, 2011
<b>Advisory Committee Meeting: Obtain Input on Interview Discussion Guide</b> <ul style="list-style-type: none"> <li>• Meeting agenda and supporting materials</li> <li>• Meeting notes</li> </ul>	Sept 26, 2011
Outline of Final Report	Oct 7, 2011
<b>Advisory Committee Meeting: Present First Set of Options Recommendations and Solicit Advisory Board Input, Present Findings from Interviews and Landscape Scan</b> <ul style="list-style-type: none"> <li>• Meeting agenda and supporting materials</li> <li>• Meeting notes</li> </ul>	Oct 13, 2011
Key Informant Interviews Report	Oct 14, 2011
Landscape Scan of Private Sector and Community Based Health Insurance Distribution System (Background and Quantitative Analysis)	



## Key Project Deliverables, continued

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Deliverable	Date(s)
<b>Advisory Committee Meeting: Present Second Set of Options Recommendations and Solicit Advisory Board Input</b> <ul style="list-style-type: none"><li>• Meeting agenda and supporting materials</li><li>• Meeting notes</li></ul>	Oct 24, 2011
<b>Final Report (draft to the Advisory Committee)</b>	Nov 3, 2011
<b>Advisory Committee Meeting: Final Review and Feedback from Advisory Committee on Final Report</b> <ul style="list-style-type: none"><li>• Meeting agenda and supporting materials</li><li>• Meeting notes</li></ul>	Nov 2, 2011
<b>Advisory Committee Meeting: Review of Final Report</b> <ul style="list-style-type: none"><li>• Meeting agenda and supporting materials</li><li>• Meeting notes</li></ul>	Nov 7, 2011
<b>Final Report (to Board)</b>	Nov 15, 2011
<b>Testimony materials</b>	One week prior to testimony

# Engagement with Exchange Advisory Committee and Board

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## Key Activities

- Meeting regularly with the Advisory Committee across the project to solicit input into project and to track progress
- Draft agenda and track items for discussion in advance of meetings
- Provide updates on the status of the work plan, engage the Advisory Committee in substantive discussions on emerging recommendations and major policy questions
- Solicit input in project challenges, as appropriate
- Meeting with the Exchange Board, as needed



## Deliverables/Output

- Meeting agendas and supporting materials (e.g.- interview status update)
- Meeting notes
- Input on recommendations, direction of research

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## Questions that Will Inform Our Analysis

- Are there key meetings (e.g., other advisory groups) Manatt should attend that will inform the information collection and analysis?
- What are the key policy and operational decisions that need to be addressed?
- What are the goals against which we should measure policy decisions for the program?

# Survey of State and National Navigator Policy Development

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## Key Activities

- Compile existing reports, such as Hilltop and MD Exchange planning documents, to inform analysis
- Catalogue federal Navigator Program requirements and guidance
- State-by-state survey of Navigator HBE provisions and work plans
- Conduct literature review of key national stakeholders
- Collect all materials and place on shared worksite for collaboration
- Review all materials



## Deliverables/Output

- Appendix for inclusion in final report
- Foundation that will inform key informant discussions

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## Key Questions that Will Inform Our Analysis

- What are the national and state policy drivers?
- How are other states designing Navigator Programs? What is the role and scope of their Navigators? Are there any trends that Maryland should be aware of?
- What do leading industry groups/associations say about Navigator design/ implementation?
- What, if any, emerging guidance is available from CMS/CCIIO on Navigator development?

# Landscape of Maryland's Existing Private Sector and Community-Based Health Insurance Distribution System

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## Key Activities

- Assess legal/regulatory and operational requirements for brokers/producers and community-based networks
- Assess data related to the number, distribution and cost of brokers/producers and community networks
- Assess community-based and private networks for outreach, including capacity to expand to serve both public and private consumers
- Assess demographics of newly insured individuals and overlay with existing distribution systems
- Use interviews to fill in gaps from available reports
- Develop landscape document for discussion with Exchange



## Deliverables/Output

- Background materials for centralized website
- Power point presentation to Advisory Committee
- Incorporation of landscape scan in the final report.

## Key Questions that Will Inform Our Analysis

- What is the existing private sector health insurance distribution system, and what resources may be available for the Exchange? What is the existing community-based health care system and what resources may be available for the exchange?
- What are the potential effects the Exchange will have on private sector employment in the health insurance distribution system in the state?
- How many Navigators are needed statewide? Are there particular high need geographic areas or populations that should be targeted?

# Key Informant Interviews and Report

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## Key Activities

- Identify and vet interviewees with the Advisory Committee
- Develop and vet discussion guide with the Advisory Committee
- Arrange and conduct interviews
- Compile summary of key informant interview findings
- Submit key informant report to the Advisory Committee
- Discuss key informant interview report with the Committee



## Deliverables/Output

- Key Informant Interview Discussion Guide and other materials, as needed (e.g. interview tracking sheet)
- Key Informant Report, inclusive of options key informants would like to pursue

## Key Questions that Will Inform Our Analysis

- What functions, in addition to those required by ACA, should be performed by Navigators?
- What training and expertise should be required of Navigators, and whether different markets and populations require Navigators with different qualifications?
- What methods should the Exchange use to determine the number of Navigators needed and how to identify organizations that can serve as Navigators?
- What is the role of Navigators in broader outreach and education initiatives related to health insurance coverage and the Exchange?
- What conflict of interest rules and guidelines for Navigators should the state establish?

## Key Activities

- Synthesize analyses, including landscape scan, state and national survey, key informant interviews and policy analysis to develop an initial list of options
- Assess relative merits (e.g. strengths/weaknesses) of options for pursuit; include level of consensus as a criterion for assessment
- Develop Maryland specific options and recommendations for the Navigator program; present to the Advisory Committee
- Review options with select stakeholders to validate and clarify



## Deliverables/Output

- Options analysis in the form of a PPT to Advisory Committee
- Incorporation of Options and Recommendations into Final Report

## Key Questions that Will Inform Our Analysis

- What are the range of relationship options between Navigators and producers?
- What options are their for how Navigators will be retained and compensated and how will disparities between compensation inside versus outside of the exchange be minimized/avoided based on different options?
- What options have the least impact on private sector employment? What options have the most?
- What are the range of potential Navigators that the Exchange could contract with to meet ACA requirements?
- Which options for Navigator development and oversight maximize consumer protection?

# Navigator Options and Recommendations Final Report

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## Key Activities

- Frame the questions as to how the state's Navigator program should be implemented
- Identify the HBE's options
- Provide the quantitative and qualitative analysis that will enable the HBE to evaluate the options and select among them
- Develop a proposed timeline and work plan for implementing recommendations
- Develop proposed programmatic, operational, and legislative changes necessary to implement recommendations

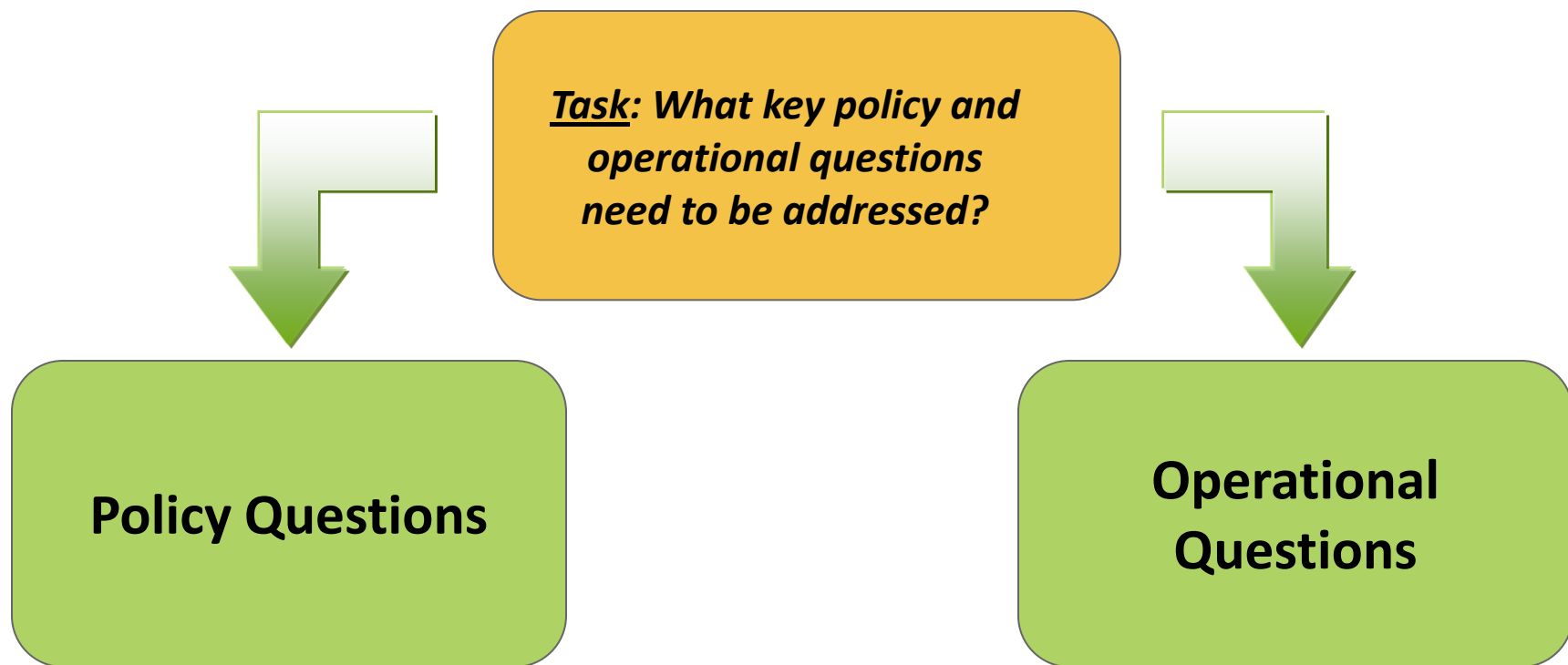


## Deliverables/Output

- Report outline for review by the Advisory Committee
- Final Report to Advisory Committee by Nov. 3<sup>rd</sup>
- Final Report to Board by Nov. 15<sup>th</sup>

## Key Questions that Will Inform Our Analysis

- What are the core functions of the Navigators?
- How should Navigators be retained and compensated? Who will select, contract with and provide overall compliance oversight for Navigators?
- How should Navigators be licensed and trained?
- How many Navigators are needed?
- How does the Exchange ensure that Navigators provide information in a manner that is culturally, linguistically and otherwise appropriate to the needs of the population.





## Key Policy Questions

- **In what ways should the Exchange leverage resources in the private sector health insurance distribution system?** (MD Statute)
- **How will decisions on Navigators roles, functions and compensation impact private sector employment in MD?** (MD Statute)
- **Should Navigators be certified, licensed and/or trained?** (Manatt)
- **What other means of consumer assistance may be appropriate?** (MD Statute)
- **How can the Exchange minimize or avoid disparities between Navigator compensation and the compensation of insurance producers outside of the Exchange?** (MD Statute)
- **How can the Exchange avoid conflicts of interest to ensure that Navigators are not health insurance issuers and do not receive considerations from issuers for enrollment into a qualified health plan?** (ACA)
- **How does Maryland design the Navigator Program to compliment the existing work of agent/brokers and community networks?** (Manatt)

# Key Operational Questions for the Navigator Program

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## Operational Questions

- **What are the core functions of the Navigators in addition to those called out by ACA?** (ACA/MD Statute)
  - ACA functions: Conduct public education activities, distribute fair and impartial information concerning enrollment; facilitate enrollment; and provide referrals to applicable health insurance consumer assistance programs
- **How should Navigators be selected and retained?** (MD Statute)
- **How will the Navigators be compensated?** (MD Statute)
- **How should Navigators be certified, licensed and/or trained?** (MD Statute)
- **How many Navigators are needed?** (MD RFP)
- **How does the Exchange ensure that Navigators provide information in a manner that is culturally, linguistically and otherwise appropriate to the needs of the population?** (ACA/MD Statute)
- **Who will select, contract with and provide overall compliance oversight for Navigators?** (MD RFP)

Source: Chapter 2 of MD House Bill 166; MD RFP re: Study of Navigator Program and Consumer Assistance; Section 1311. Affordable Choices of Health Benefit Plans under ACA, Manatt Analysis

## Policy Questions :

1. To be discussed

2. ?

3. ?

4. ?

5. ?

6. ?

7. ?

## Operational Questions:

1. To be discussed

2. ?

3. ?

4. ?

5. ?

6. ?

7. ?

# Develop and Confirm Goals for Navigator Program

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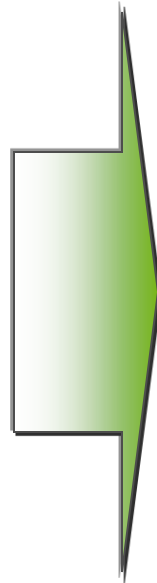
## **Task:**

What goals or values should guide or inform the operational and policy recommendations?



## **Options for Consideration:**

- Cost-efficiency
- Accountability
- Quality
- Accessibility
- Transparency
- Stability of existing infrastructures
- Others?



## **Advisory Group Discussion :**

### **1. To be discussed**

**2. ?**

**3. ?**

**4. ?**

**5. ?**

**6. ?**

**7. ?**

# Obtain Consensus on Key Informants *(Draft based on initial stakeholder research.)*

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Targeted Population	Potential Key Informants (*HBE Exchange Board Member, ** Exchange Advisory Workgroup on Navigators and Enrollment Member)
Consumers	Leigh Cobb, Association of Children and Youth (Co-Chair of Navigator and Enrollment Workgroup)
	Mary Lou Fox, Community Advocate**
	Kevin Lindamood, Health Care for the Homeless
	Sheila Mackertich, Baltimore Health Care Access
	Vincent DeMarco, Health Care for All Maryland
	Bonita Pennino, American Cancer Society
	Ed Smith, Health Action Forum of Prince George's County
	Bishop Douglas Miles, Interdenominational Ministerial Alliance
	Isazetta Spikes, Health Care Chair, Maryland Chapter, NAACP
Small Businesses	Joseph Enoch, Enoch Office Equipment
	Eric King, The Crab Shanty
	John O'Donnell, Washington Area New Automobile Dealers Association
	Thomas Saquella, Maryland Retailers Association*
Health Issuers	Christopher Culotta, CareFirst BlueCross BlueShield**
	Jay Duke, Waring-Ahearn Insurance Agency**
	Stephanie Golden, Cigna**
	Thomas Grote, Aetna**
	Kendall Hunter, Kaiser Foundation Health Plan of Mid-Atlantic States
	Richard Reeves, United Healthcare**
Agents/Brokers	Michael Cumberland, Keller Stonebraker Insurance**
	Lee Diemer, BenefitMall
	William Simmons, Group Benefit Services

- **Finalize overall project work plan and key informant interview plan**
  - Maintain focus on compliance with federal and state requirements and state milestones and priorities.
- **Implement project management processes**
  - Place important meetings on calendars
  - Facilitate meetings and communications process
- **Initiate scheduling of key informant meetings and interviews**
- **Finalize survey of state and national navigator policy development**